

**Wittels
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September 19, 2024

Via ECF

Honorable Taryn A. Merkl
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Swanson et al. v. Manhattan Beer Distributors, LLC et al.*, No. 15 Civ. 5383-ENV-TAM

Dear Judge Merkl:

We represent Plaintiff Larry Swanson and the proposed Class and write with the consent of Defendants Manhattan Beer Distributors LLC and Simon Bergson to advise that settlement discussions have been fruitful, and therefore the parties jointly request a stay of all proceedings in order to finalize their agreement and prepare the necessary papers for submission of preliminary Class settlement approval.

By way of background, acting on Your Honor's comments during conferences conducted last December and in February of this year, Plaintiff and Defendants have taken further discovery and engaged in assessment of weaknesses and strengths in their respective positions on individual merit and class criteria. Through earnest discussions encouraged by the Court, the parties have reached a stage where we believe differences can be bridged. In order for the parties to concentrate their efforts toward settlement, we jointly respectfully request a stay of all proceedings for 90 days. Should settlement be attained earlier, we will notify Your Honor promptly.

Plaintiff and Defendants thank the Court for its guidance enabling this progress in a case that was commenced nine years ago, and for consideration of this request intended to work toward final resolution.

Respectfully submitted,

/s/ Steven L. Wittels

Steven L. Wittels

cc: All Counsel of Record (via ECF)